

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	LEE, Kyung-Hee et al.	EXAMINER: BAYOU, Yonas A
SERIAL NO.:	10/800,181	ART UNIT: 2134
FILED:	March 12, 2004	DATED: October 2, 2008
FOR:	APPARATUS AND METHOD FOR PERFORMING MONTGOMERY TYPE MODULAR MULTIPLICATION	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE // COMMUNICATION TO THE EXAMINER

(FORMAL REQUEST TO WITHDRAW FINALITY OF THE ACTION DATED 6/3/2008)

Sir:

In response to the Final Office Action dated July 3, 2008, pursuant to MPEP§706.07(d) and MPEP§707.07(f), Applicants respectfully request that the Office withdraw the finality of the Action dated July 3, 2008, and now consider on the merits the arguments contained in the Response dated March 28, 2008.

In particular, it appears the Office did not realize that the arguments were presented in the Response dated March 28, 2008 by way of incorporation by reference. That is, the Response dated March 28, 2008 was a response to Notice of Non-Compliant Amendment and it expressly incorporated the arguments presented in the Amendment dated December 26, 2007. Arguments presented in the Amendment dated December 26, 2007 was not considered because of the non-compliant aspect with respect the Amendment that was addressed in the Response dated March 28, 2008. Because the Office did not realize that the arguments were presented in the Response dated March 28, 2008 by way of incorporation by reference, it appears that the Office issued the Final Office Action dated July 3, 2008 describing the Response dated March 28, 2008 as being a "general statement."

For the convenience of the Examiner, the Response dated March 28, 2008 and the arguments contained in the Amendment dated December 26, 2007 (which was incorporated in the Response dated March 28, 2008 by reference) are reproduced below.